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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/494,053	01/28/2000	John Mansbridge	47103-200	2989
27317	7590	03/04/2004	EXAMINER	
FLEIT KAIN GIBBONS GUTMAN & BONGINI COURVOISIER CENTRE II, SUITE 404 601 BRICKELL KEY DRIVE MIAMI, FL 33131			AHN, SAM K	
			ART UNIT	PAPER NUMBER
			2634	0

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/494,053	MANSBRIDGE, JOHN
	Examiner	Art Unit
	Sam K. Ahn	2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on amendment, received on 12/9/03.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 10-23 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 10-23 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 10-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Kozma et al. (Kozma).

Regarding claims 10 and 22, AAPA already teaches a method and apparatus of a data filter (see Fig.1) having means to input a radio frequency signal (116), means to convert said radio frequency signal to a plurality of data signals where a multiplexer receives the plurality of data signals, (note p.1-2) and processing means comprising a photodiode array processing unit (110). However, AAPA does not teach wherein the processing means identify at least one data signal from the plurality of data signals conforming to a predetermined criteria and transmit an identifying signal corresponding to the identified at least one data signal to a multiplexing unit for selective processing of the at least one data signal from the plurality of data signals.

Kozma teaches processing means (156, 158, 160, 162 in Fig.8) comprising a photodiode array processing unit (158, 160, 162 in Fig.8) arranged to identify at least one data signal from the plurality of data signals conforming to a

predetermined criteria and transmit an identifying signal (162a) corresponding to the identified at least one data signal to a multiplexing unit (170, note col.13, lines 45-51 wherein the element 170 functions as a multiplexer) for selective processing of the at least one data signal from the plurality of data signals. (note col.12, line 61 – col.13, line 69) Both AAPA and Kozma teaches photodiode array processing unit receiving plurality of data signals, multiplexer which is coupled to a buffer (172). Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify AAPA's teaching of the photodiode array processing unit to encompass the function of having selective processing by processing only signals that are above the predetermined threshold, as taught by Kozma, for the purpose of reducing and relieving processing calculations and design an efficient system.

Regarding claims 11 and 23, AAPA in view of Kozma teach all subject matter claimed, as applied to claim 10 or 22. Kozma further teaches wherein the processing means comprises level detection means (162 in Fig.8) arranged to determine whether each of the plurality of data signals is above a predetermined threshold. (note col.12, line 61 – col.13, line 69)

Regarding claim 12, AAPA in view of Kozma teach all subject matter claimed, as applied to claim 11. Kozma further teaches wherein the level detection means (162 in Fig.8) is an array of comparator means. (note col.13, lines 5 – 14)

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Kozma teaches wherein the comparator means compares the output of the preamplifier with a threshold voltage.

Regarding claims 13-15, AAPA in view of Kozma teach all subject matter claimed, as applied to claim 10, 11 or 12. Kozma further teaches (see Fig.1A) wherein the element 144 in Fig.1A receives external control signal from the control circuits (note col.13, lines 57-62) controlled by an operator. Therefore it is inherent that the element 144 includes means for receiving the signal as the control circuits coupled to the element 144 sends and receives signals.

Regarding claim 16, AAPA in view of Kozma teach all subject matter claimed, as applied to claim 13. Kozma further teaches wherein the external control signal is an instruction relating to the selective processing of the plurality of data signals, wherein the threshold detect (162 in Fig.8) is coupled to the control circuits (in Fig.1A) and therefore it would have been obvious to one skilled in the art at the time of the invention to analyze that the external control signals exchanged between the control circuit and the threshold detect is related to the selective processing of the plurality of data signals, since the external control signal may control the adjustable threshold voltage to control the selective processing to further allow or prevent data signals from reaching the multiplexer.

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Regarding claims 17-21, AAPA in view of Kozma teach all subject matter claimed, as applied to claims 10-14. Kozma further teaches a channel selection logic unit (see Fig.8) wherein the photodiode receives 128 data channels and only stores data in the buffer of data channels exceeding a predetermined threshold. (note col.12, line 61 – col.13, line 69) All further limitations were explained in regards to claims 10 and 22.

### **Conclusion**

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Labrum et al. teach acousto-optical system having an RF input signal to a Bragg cell.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action

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is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Sam Ahn** whose telephone number is **(703) 305-0754**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Stephen Chin**, can be reached at **(703) 305-4714**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

P.O. Box 1450

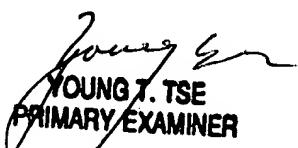
Alexandria, VA 22313-1450

**or faxed to:**

**(703) 872-9306**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

  
YOUNG T. TSE  
PRIMARY EXAMINER

Sam K. Ahn  
3/1/04